

Name/Number: 09870939 Total Records Found: 11

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Accounting Date	Sequence Num.	Tran Type	Fee Code	Fee Amount Mailroom Date	Payment Method
10/16/2001	00000024	<u>1</u>	<u> 101</u>	\$740.00 10/12/2001	DA 501078
10/16/2001	00000025	<u>1</u>	<u>103</u>	\$306.00 10/12/2001	DA 501078
10/16/2001	00000026	<u>1</u>	<u>102</u>	\$168.00 10/12/2001	DA 501078
10/16/2001	00000027	<u>1</u>	<u>105</u>	\$130.00 10/12/2001	DA 501078
09/04/2002	00000006	<u>1</u>	<u>581</u>	\$40.00 09/03/2002	DA 501078
01/23/2003	00000112	<u>1</u>	<u>1251</u>	\$110.00 01/21/2003	DA 501078
01/23/2003	00000113	<u>1</u>	<u>1201</u>	\$84.00 01/21/2003	DA 501078
01/23/2003	00000114	<u>1</u>	<u>1202</u>	\$36.00 01/21/2003	DA 501078
12/29/2003	0000067	<u>1</u>	<u> 1801</u>	\$770.00 12/19/2003	DA 501078
12/29/2003	00000068	<u>1</u>	<u>1251</u>	\$110.00 12/19/2003	DA 501078
05/05/2005	00000003	<u>1</u>	<u>1402</u>	\$500.00 01/11/2005	DA 501078

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ATTORNEY DOCKET NO. 10010791-1

AGILENT TECHNOLOGIES, INC.
Logal Dupartment, DL429
Intriloctual Property Administration
P. O. Box 7599
Leveland, Coloredo 80537-0599

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s):	Douglas A. Amo	rese			
Serial No.:	09/870,939		Exemin	er:	Betty J. Forman
Filing Date:	May 30, 2001		Group A	Art Unit	: 1634
Title:	COMPOSITE AR	RAYS			
P.O. Box 14	ONER FOR PATEN 50 VA 22313-1450	ITS	· · · • 5300		PART OF BERNERAL AND TO A SECURITION OF THE SECURITIES OF THE SECURITION OF THE SECU
Sir;		TRANSMIT	AL OF APPE	L BRIE	<u>F</u>
Transmitted November 1	herewith is the App 7, 2004 .	eal Brief in this appl	ication with res	pect to t	he Notice of Appeal filed on
The fee for fi	ling this Appeal Bri	of is (37 CFR 1.17(c)) \$500 ,00 (a) or (b) as app#	cablel	
The proceed	inos herein ero for				7 CFR 1.136(a) apply.
(a) AppH	cant petitions for a ber of months che	n extension of time u	inder 37 CFR 1	.136 (fe	cs: 37 CFR 1.17(a)(1)-(5)) for
	one month two months three months four months	\$ 110.00 \$ 430.00 \$ 980.00 \$1530.00			
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Please charg application, p pursuant to 3	iease charge any r	int 50-1078 the sum ses required or cred	of \$ 500.00. It any overpays	At any nent to E	time during the pendency of this
A duplicate c	opy of this transmit	tal letter is enclosed.			
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with the Unite	ly that this corresponde d Sistes Postal Sorvice addressod to: Commiss 0, Alexendria, VA 2231:	as first class mail in	Ву	Dougla	as A. Amorese
Date of Dupos	it	· OR			Field for Dianne Rees sy/Agent for Applicant(s)
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Signature:	ma	edo		Téleph	one No. (650) 485-5999
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APPELLANTS' BRIEF

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Assistant Commissioner for Patents
Alexandria, VA 22313-1450

Attorney Docket	10010791-1			
First Named Inventor	Douglas A. Amorese			
Application Number	09/870,939			
Filing Date	May 30, 2001			
Group Art Unit	1634			
Examiner Name	Betty J. Forman			
Title	COMPOSITE ARRAYS			

Sir:

This Appeal Brief is filed in support of Appellants' appeal of the Examiner's Final Rejection dated August 17, 2004. A Notice of Appeal was filed by fax on November 17, 2004. As such, this Appeal Brief is timely filed.

This Appeal Brief is believed to be compliance with 37 C.F.R § 41.37, as amended by the final rule changes effective on September 13, 2004.

Please charge the \$500.00 fee for filing this Brief to our Deposit Account No. 50-1078. If this fee is incorrect, please charge or credit the account accordingly.

Dkt. No.:10010791-1 USSN:09/870,939

references, taken separately or together, fail to fairly suggest the claimed subject matter: an array containing cDNAs of at least 400 nucleotides in length and synthetic polynucleotide molecules that are no more than 100 nucleotides in length.

Accordingly, the cited references cannot render the claimed subject matter obvious and this rejection may be reversed.

RELIEF REQUESTED

Appellants respectfully request that the rejection of claims 1-3, 5-20 and 38-41 under 35 U.S.C. §102(b) and 35 U.S.C. §103 be reversed, and that the application be remanded to the Examiner with instructions to issue a Notice of Allowance.

Respectfully submitted,
BOZICEVIC, FIFLI) & FRANCIS LLP

Date: Jan 11, 2005

James Keddic Registration No. 48,920

Bret Field

Registration No. 37,620

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